

SIXTIETH DAY

(CONTINUED)

SUNDAY, APRIL 27, 1997

PROCEEDINGS

AFTER RECESS

The Senate met at 11:00 a.m. and was called to order by Senator Ratliff.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Sunday, April 27, 1997

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

I am directed by the House to inform the Senate that the House has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 4, Relating to funding public elementary and secondary schools and providing property tax relief and equity and to the imposition, administration, enforcement, and collection of, and allocation of the revenue from, various state and local taxes; providing penalties.

HB 3443, Relating to financing of public transportation.

SB 120, Relating to the designation of a portion of United States Highway 87 in Bexar County as the Bishop Ernest T. Dixon, Jr., Memorial Parkway.

SB 161, Relating to the authority of the commissioners courts of certain counties to alter speed limits on certain highways.

SB 400, Relating to the creation of municipal courts of record in the City of Lewisville.

(Committee Substitute)

SB 446, Relating to the posting of political signs on private property along certain highways.

SB 460, Relating to the issuance of specially designed volunteer advocate program license plates by the Texas Department of Transportation.

SB 484, Relating to outdoor advertising of alcoholic beverages.

SB 492, Relating to the cancellation and removal from the delinquent tax roll of an ad valorem tax on certain real property.

SB 538, Relating to eligibility and benefits under public retirement systems for employees of certain municipalities.

SB 590, Relating to the adoption or increase of local sales and use taxes by a municipality or county in which previous elections adopting the taxes are invalid.

SB 634, Relating to the classification of certain liquefied petroleum gas activities; insurance requirements for liquefied petroleum gas, compressed natural gas, and liquefied natural gas licensees; and registration and transfer fees for liquefied petroleum gas, compressed natural gas, and liquefied natural gas transportation vehicles.

SB 638, Relating to the responsibility for the plugging of an oil or gas well. (Committee Substitute)

SB 730, Relating to changing the name of the Institute for Urban Studies at the University of Houston to the Center for Public Policy.

SB 800, Relating to an appeal of a decision made by certain county civil service commissions.

SB 819, Relating to the design, manufacture, and sale of certain commemorative items relating to the state.

SB 997, Relating to the procedures for and administration of guardianships. (Amended)

SB 998, Relating to the administration and operation of certain trusts. (Amended)

SB 1590, Relating to the use and distribution of a regulated herbicide and certain pesticides. (Amended)

SB 1755, Relating to investment training for board members and investment officers of state agencies.

SCR 28, Relating to investigations of abuse in psychiatric facilities operated by the University of Texas System.

THE HOUSE HAS PASSED THE FOLLOWING MEASURES: LOCAL, CONSENT, AND RESOLUTION CALENDAR

HB 65, Relating to increases in tuition and fees charged by public institutions of higher education.

HB 587, Relating to the definition of certain community centers.

HB 726, Relating to the authority of the Texas Historical Commission to accept donations and services from a volunteer or volunteer group.

HB 814, Relating to the title of certain persons licensed to sell real estate.

HB 826, Relating to the tax rate of the Sutton County Hospital District.

HB 907, Relating to the application of the professional prosecutors law to the criminal district attorney of Collin County.

HB 917, Relating to contracts for inmate labor entered into by the Texas Department of Criminal Justice that provide inmates with access to personal information about persons who are not confined.

HB 1039, Relating to court-ordered mental health services.

HB 1138, Relating to the use of neighborhood associations in the enforcement of certain municipal health and safety ordinances.

HB 1254, Relating to the validation of all acts, governmental proceedings, officials, bonds, and obligations of navigation districts and port authorities.

HB 1291, Relating to the jurisdiction of justice and municipal courts.

HB 1294, Relating to continuing education requirements for county commissioners.

HB 1324, Relating to the administration and financing of emergency communications.

HB 1345, Relating to the issuance of certain permits to move certain heavy equipment over a state highway.

HB 1367, Relating to reporting by the Texas Natural Resource Conservation Commission and the attorney general on environmental enforcement actions.

HB 1407, Relating to emergency medical services and trauma care.

HB 1487, Relating to the regulation of certain transportation service providers; providing penalties.

HB 1556, Relating to establishing Internet electronic mail addresses for state agencies.

HB 1614, Relating to the appraisal of signs for ad valorem tax purposes.

HB 1632, Relating to the change of the name of the Texas Catastrophe Property Insurance Association to the Texas Windstorm Insurance Association.

HB 1706, Relating to the terms of court of the 42nd District Court.

HB 1773, Relating to the residence homestead exemption from ad valorem taxation.

HB 1805, Relating to the methods used by state government to purchase information resources technologies.

HB 1823, Relating to the slaughter and processing of livestock for personal use.

HB 1891, Relating to the Lamar County Juvenile Board.

HB 1933, Relating to certain retired physicians who perform voluntary charity care.

HB 1960, Relating to abolishing the pollution prevention council.

HB 1974, Relating to the payment of a supplemental salary to the district judges in Collin County and validation of certain prior acts of the commissioners court.

HB 1989, Relating to college student exchange programs with other nations.

HB 2003, Relating to emergency intervention proceedings concerning a decedent's estate.

HB 2005, Relating to the possession of and access to grandchildren by grandparents.

HB 2007, Relating to the administration of a decedent's estate.

HB 2080, Relating to notification and consent to disclosure of a failure to complete a peer assistance program.

HB 2179, Relating to competitive bidding in connection with certain contracts made by counties.

HB 2215, Relating to court-ordered family counseling for conflicts regarding issues of conservatorship or possession of or access to a child.

HB 2261, Relating to providing the court with certain information regarding a party in a civil action.

HB 2411, Relating to student center fees at Texas Southern University.

HB 2445, Relating to the operation of a fixed rail transit system by certain metropolitan rapid transit authorities.

HB 2510, Relating to the regulation of certain personal care facilities.

HB 2512, Relating to the authority of the Texas State Library and Archives Commission to accept donations and services from certain sources.

HB 2519, Relating to special license plates benefitting Big Bend National Park.

HB 2522, Relating to the operation of a motorcycle on a public street or highway.

HB 2526, Relating to the duties of an attorney ad litem in a suit affecting the parent-child relationship.

HB 2528, Relating to the validation of acts and proceedings of South Texas Community College.

HB 2531, Relating to the civil liability of certain persons for a child's conduct.

HB 2561, Relating to the administration of the Sexual Assault Prevention and Crisis Service.

HB 2564, Relating to authorizing the Board of Regents of The University of Texas System to acquire by purchase, exchange, gift, or otherwise certain

properties to be used for campus expansion and university purposes in The University of Texas System.

HB 2573, Relating to fees assessed for the regulation of athletic trainers and the audit of certain financial transactions regarding that regulation.

HB 2584, Relating to the contents of certain retail alcoholic beverage permits and licenses.

HB 2634, Relating to administrative fees collected by community supervision and corrections departments.

HB 2683, Relating to subdivision descriptions in contracts to convey real property.

HB 2685, Relating to certain prohibited activities in the food stamp program.

HB 2702, Relating to the payment of certain probate fees.

HB 2727, Relating to the jurisdiction of certain justice of the peace courts.

HB 2734, Relating to the creation of a statutory county court in Matagorda County.

HB 2738, Relating to authorizing the Texas Board of Criminal Justice to convey real property in exchange for property of equivalent fair market value.

HB 2745, Relating to the location of certain hearings affecting the status of alcoholic beverage permits.

HB 2759, Relating to the delivery by certain electric cooperative corporations of money that is presumed to be abandoned.

HB 2801, Relating to certain payroll deductions for employees of institutions of higher education.

HB 2807, Relating to the administration of the citrus budwood certification program; providing a penalty.

HB 2816, Relating to the expiration of secondary alcoholic beverage permits and licenses.

HB 2829, Relating to the disposition of restitution payments made to victims of crime.

HB 2830, Relating to a statutory lien to secure the amount of restitution to which a crime victim is entitled.

HB 2847, Relating to the line of vegetation in an area of public beach near certain seawalls.

HB 2848, Relating to the curation of artifacts and other items in the custody of the Texas Historical Commission.

HB 2858, Relating to cancellation or suspension of certain alcoholic beverage permits.

HB 2863, Relating to regulating the hours of sale and consumption of alcoholic beverages.

HB 2866, Relating to the completion, filing, and registration of certain death records.

HB 2871, Relating to county authority to prohibit or restrict the burning of certain substances in certain areas; providing penalties.

HB 2923, Relating to the establishment of a medical services fee at Texas Southern University.

HB 2933, Relating to the establishment of a recreational facility fee at Texas Southern University.

HB 2951, Relating to the provision of inpatient mental health services to certain incapacitated persons.

HB 3076, Relating to the terms of the board of directors of a savings bank.

HB 3077, Relating to the merger, consolidation, or conversion of a federal savings bank or savings association into a domestic or foreign savings bank or savings association.

HB 3088, Relating to the notice required to be given in a proceeding to determine heirship.

HB 3104, Relating to appointment of a bailiff for the 385th district court in Midland County.

HB 3105, Relating to the supplemental salaries of judges of the district courts having jurisdiction in Midland County.

HB 3106, Relating to the regulation of the practice of physical therapy; providing administrative penalties.

HB 3112, Relating to the authorization of payroll deductions by employees of institutions of higher education for parking fees or parking permits.

HB 3176, Relating to the sampling of wine on the premises of a holder of a winery permit.

HB 3212, Relating to the transfer of certain state property from the Texas Department of Criminal Justice to Duval County.

HB 3231, Relating to the consolidation and use of certain accounts and funds of the Texas Natural Resource Conservation Commission.

HB 3278, Relating to designating the Texas National Guard as a law enforcement agency in certain circumstances.

HB 3334, Relating to securities eligible to secure a deposit of public funds.

HB 3356, Relating to the payment of funds to support the Early High School Graduation Scholarship Program.

HB 3436, Relating to reports required by certain retailers of alcoholic beverages.

HB 3538, Relating to the jurisdiction of the County Court at Law of Rusk County.

HB 3548, Relating to the board of directors of the Sandy Land Underground Water Conservation District.

HB 3550, Relating to the creation of the juvenile board of Concho County.

HB 3557, Relating to the creation of a statutory county court in Burnet County.

HB 3558, Relating to the duties of the district attorney and the county attorney in Wharton County.

HB 3559, Relating to the County Court at Law of Bee County.

HCR 55, Designating the Texas Ranger Hall of Fame and Museum in Waco as the official state repository of Texas Ranger memorabilia.

HCR 80, Designating Wyman Meinzer as Texas State Photographer.

HCR 143, Establishing procedures for the nomination and selection of recipients of the Governor's Awards for Excellence in the Arts, Humanities, and Sciences.

HCR 145, Directing the Texas Department of Health to conduct a study of fluoridated public water supplies.

Respectfully,

/s/Sharon Carter, Chief Clerk
House of Representatives

BILLS SIGNED

The Presiding Officer, Senator Ratliff in Chair, announced the signing of the following enrolled bills in the presence of the Senate after the captions had been read: **SB 1060, SB 1487, HB 622, HB 649**

MESSAGE FROM THE GOVERNOR

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas
April 25, 1997

**TO THE SENATE OF THE SEVENTY-FIFTH LEGISLATURE,
REGULAR SESSION:**

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

**TO BE MEMBERS OF THE TEXAS STATE BOARD OF MEDICAL
EXAMINERS for terms to expire April 13, 2003:**

LEE S. ANDERSON, M.D.

4817 Overton Hollow
Fort Worth, Texas 76109

Dr. Anderson will be replacing Dr. Catalina E. Garcia of Dallas whose term expired.

PETER CHANG, M.D.

625 Piney Point
Houston, Texas 77024

Dr. Chang will be replacing Dr. John M. Lewis of Houston whose term expired.

EDWARD "ED" S. HICKS, SR.

5226 Greenbriar Drive
Corpus Christi, Texas 78413

Mr. Hicks will be replacing Cindy Jenkins of Stowell whose term expired.

LARRY PRICE, D.O.

Route 2, Box 270B
Belton, Texas 76513

Dr. Price will be replacing Suzanne Peck Low, D.O., of Portland whose term expired.

JANET TORNELLI-MITCHELL

3224 Lovers Lane
Dallas, Texas 75225

Ms. Tornelli-Mitchell will be replacing Dr. Ratna Solomon of Dallas whose term expired.

Respectfully submitted,

/s/George W. Bush
Governor of Texas

HOUSE BILLS ON FIRST READING

The following bills received from the House were read first time and referred to the committees indicated:

HB 4 to Committee on Tax Reform and Public School Finance.

HB 65 to Committee on Finance.

HB 587 to Committee on Health and Human Services.

RECESS

On the motion of Senator Truan, the Senate at 11:07 a.m. recessed until 8:30 a.m. Monday, April 28, 1997, for the Local and Uncontested Calendar Session.

APPENDIX

COMMITTEE REPORT

The following committee report was received by the Senate:

April 27, 1997

INTERGOVERNMENTAL RELATIONS — CSSB 1365

SIGNED BY GOVERNOR

April 25, 1997

SB 150, SB 182, SB 221, SB 326, SB 348, SB 401, SB 444, SB 476, SB 616,
SB 726, SB 757, SCR 25, SCR 40, SCR 54